

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES THOMAS HART,

Plaintiff,

v.

LAWRENCE L. BRAUN, COUNTY OF NAPA,
TERRY DAVIS, PUBLIC DEFENDER FOR THE
COUNTY OF NAPA; and DOES 1 to 100.,

Defendants.

No. C 03-5580 CW

ORDER REGARDING
PLAINTIFF'S
SUPPLEMENTAL
BRIEF

On November 29, 2005, Defendant Lawrence L. Braun moved for summary judgment on the ground that equitable tolling does not apply to Plaintiff James Thomas Hart's legal malpractice claim. A hearing was held on January 27, 2006. No appearance was made by Plaintiff's counsel. A minute order was issued requiring Defendant's counsel to submit, by February 10, 2006, a supplemental brief addressing the cases of Gorden v. Law Offices of Aguirre & Meyer, 70 Cal. App. 4th 972 (1999), and Laird v. Blacker, 2 Cal. 4th 606 (1992), accompanied by copies of the Ninth Circuit appellate briefs in Hart v. Braun, 2005 WL 2186350 (9th Cir. 2005). Response by Plaintiff was due February 17, 2006. On February 7,

1 2006, this Court granted the parties' stipulation that Plaintiff
2 may have until March 15, 2006 to file his supplemental brief. On
3 February 9, 2006, Defendant filed his supplemental brief and
4 provided the Ninth Circuit appellate briefs. On March 13, 2006,
5 Frank G. Prantil, purporting to be Plaintiff's attorney, sent the
6 Court an unsigned courtesy copy of Plaintiff's supplemental brief,
7 but the brief was not filed. On March 27, 2006, Mr. Prantil
8 electronically filed the supplemental brief.

9 The Court notes, that effective March 5, 2006, Mr. Prantil is
10 not eligible to practice law in California. See
11 [http://members.calbar.ca.gov/search/member_detail.aspx](http://members.calbar.ca.gov/search/member_detail.aspx?x=35155)
12 [?x=35155](http://members.calbar.ca.gov/search/member_detail.aspx?x=35155). Therefore, the Court cannot accept this or any future
13 briefs from Mr. Prantil. If Plaintiff wishes to file his
14 supplemental brief, he may retain new counsel, or represent
15 himself. Plaintiff has two weeks from the date of this order to
16 file his supplemental brief.

17
18 IT IS SO ORDERED.

19
20 3/29/06

21 Dated: _____



22 CLAUDIA WILKEN
23 United States District Judge
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